

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Cooperative Department - Liquidation of Nizamabad District Cooperative Marketing Society Ltd., Nizamabad - Relaxation of section 69-A U/S 123 - Permission accord - Orders - Issued.

AGRICULTURAL AND COOPERATION (COOP.I) DEPARTMENT

G.O.Rt.No. 1344,

Dated:1-10-2008

Read:-

From CC&RCS., AP., Hyd., Lr.No.18103/2006/MII, Dt:2.9.2008.

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ORDER

In the reference read above, the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad has stated that the District Cooperative Officer, Nizamabad had reported that the affairs of Nizamabad District Cooperative Marketing Society Ltd., Nizamabad were wound up Under Section 64 of APSCS Act and the Divisional Cooperative Officer, Nizamabad was appointed as Liquidator Under Section 65 of APSCS Act. The process of Liquidation is continued from 1987 and could not be completed till date due to following reasons.

2. The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad has further stated that the properties of the society identified have been disposed of as per the permission accorded by the District Level Committee under the Chairmanship of District Collector, Nizamabad on 2.12.2003 and 3.6.2004. The District Collector/Chairman finally confirmed the sale on 6.7.2004 in terms of letter R.C.No.19963/2004/M2, Dated:23.09.2004 of Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad on 21.10.2004 and directed the Liquidator to register the properties in favour of the concerned parties against remittance of 100% amount. However the possession of the properties could not be transferred in favour of the parties, as the land was under occupation by Superintendent of Police, Nizamabad to run a training camp to C.R.P.F and a part of the bid amount is also pending collection.

3. The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad has also stated that the godown and land at shradhanand Gunj was encroached by the certain weaker section people and the encroached land could be got vacated recently. The process of registration and collection of bid amount is under progress. Hence, there is delay in Liquidation of society.

4. In view of the above, the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad has requested Government based on the proposal of the District Cooperative Officer, Nizamabad for according exempting to the Nizamabad District Cooperative Marketing Society Ltd., Nizamabad (U/L) from operation of provisions of Section 69(A) by virtue of powers vested in Govt., under section 123 of APSCS Act 1964 for a period up to December, 2008 by which the Liquidator is expected to submit final report of closure.

5. In this connection, it is submitted that as per sections 69(A) and 123 of APCS Act 1964 reads as follows:

69-A. Termination of liquidation proceedings:- (1) The winding up proceedings shall be closed within a period of three years from the date of the orders of winding up and after the expiry of the said period of three years it shall be deemed that the liquidation proceedings have been terminated, and the Registrar shall pass an order terminating the liquidation proceedings.

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(2) On the termination of the liquidation proceedings the liquidator shall make a report to the Registrar.

123. Power to exempt class of societies:- The Government may be general or special order and for reasons to be recorded therein, exempt any or any class of societies from any of the provisions of this Act.

6. Government after careful examination of the proposal, hereby accord exemption to the Nizamabad District Cooperative Marketing Society Ltd., Nizamabad (U/L) from operation of provisions of Section 69(A) by virtue of powers vested in Govt., under section 123 of APCS Act 1964 for a period up to December, 2008 by which the Liquidator is expected to submit final report of closure.

7. The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad is requested to take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad.

Copy to
PS to Minister (Coop)
PS Principal Secretary(C&M).

//FORWARDED :: BY ORDER//

SECTION OFFICER